PROOF OF SERVICE

I, **Cheryl McInerney,** declare:

1. I am employed in the City and County of San Francisco, California by Shartsis Friese LLP at One Maritime Plaza, 18th Floor, San Francisco, California 94111.

2. I am over the age of eighteen years and am not a party to the within cause.

3. I am readily familiar with Shartsis Friese LLP's practice for collection and processing of correspondence and documents for mailing with the United States Postal Service, which in the normal course of business provides for the deposit of all correspondence and documents with the United States Postal Service on the same day they are collected and processed for mailing.

4. On August 30, 2005, at Shartsis Friese LLP located at the above-referenced address, I served the attached NOTICE OF PENDENCY OF OTHER ACTION OR PROCEEDING PURSUANT TO LOCAL RULE 3-13 on the interested parties in said cause by

_x_ personal delivery by messenger service of the document(s) above to the person(s) at the address(es) set forth below:

___ placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in accordance with the firm's practice of collection and processing correspondence for mailing to the person(s) at the address(es) set forth below:

___ facsimile transmission pursuant to Rule 2008 of the California Rules of Court on this date before 5:00 p.m. (PST) of the document(s) listed above from sending facsimile machine main telephone number (415) 421-2922, and which transmission was reported as complete and without error (copy of which is attached), to facsimile number(s) set forth below:

Patrick E. Catalano, Esq.
781 Beach St., #333
San Francisco, CA 94109-1245
Tel: (415) 788-0207
Fax: (415) 477-0066

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 30, 2005 in San Francisco, California.

Cheryl McInerney
CHERYL McINERNEY

CAM\7002\001\1318299.01

SHARTSIS FRIESE LLP
EIGHTEENTH FLOOR
ONE MARITIME PLAZA
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